

## REMARKS

Claims 1-2, 4-5, 7-8, 10-11, and 13-43 are pending. Claims 1, 4, 7, 10, 26 and 28-30 have been amended. Claims 2, 5, 8, 11, and 13 are original. Claims 14-25, 27, and 31-43 have been previously presented. Claims 3, 6, 9 and 12 have been canceled. No new matter has been introduced by the amendment.

The Applicant also submits that the claims in the present application do not present a double-patenting issue over the claims in commonly owned co-pending U.S. Pat. Appl. Ser. No. 10/793,179, currently examined by Examiner Michael J. Felton in Art Unit 1731. The claims in the '179 application have been allowed.

### 1. Claim Rejections under 35 U.S.C. § 112, First Paragraph

Claims 1-2, 4-5, 7-8, 10-11, 13-14, 17-20 and 25-43 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Applicant respectfully traverses these rejections based on the following amendment and remarks.

Claims 1, 4, 7 and 10 have been amended to recite "the cigarette rod is maintained in one location relative to the tipping machine". Support for amended independent claims 1, 4, 7 and 10 can be found in the Applicant's specification, for example, in paragraph 0020, lines 6-13 (emphasis added).

Thus, during such a preferred situation of cooperation of the first drum and laser cam, the rod appears motionless relative to the overall tipping machine 10, but only is spun about its longitudinal axis. As such, during the period that **each rod is rotated and maintained in one location relative to the overall tipping machine 10**, the application system (not shown) which is located in a predetermined location (e.g., in a fixed location relative to the overall tipping machine), can apply

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additive material in a controlled manner to a predetermined location on each rotating rod.

Despite that the specification uses the term "overall," Applicant submits that there is clear and unambiguous support for the amended claim language, because one of ordinary skill in the art would understand that a tipping machine is a stationary piece of equipment fastened to a factory floor. Accordingly, the Applicant respectfully submits that the rejections against amended independent claims 1, 4, 7 and 10, and thus the rejections against claims 2/19/25/26/31/32, 5/20/27/28/33/34, 8/17/18/29/35-39, and 11/13/14/30/40-43, which depend from amended independent claims 1, 4, 7 and 10, respectively, have been overcome and should be withdrawn.

## **2. Allowed Subject Matter**

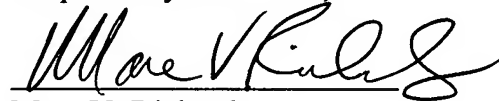
Claims 15-16 and 21-24 have been allowed.

## **3. Conclusion**

Based on the above amendments and remarks, the Applicant submits that the claims are in condition for allowance. The examiner is kindly invited to contact the undersigned attorney to expedite allowance.

Date: August 16, 2007

Respectfully submitted,



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